

APPEAL NO. 041482
FILED AUGUST 5, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 17, 2004. The hearing officer resolved the disputed issue by deciding that the respondent's (claimant) compensable injury of _____, extends to include an injury to the claimant's right shoulder, neck, head, and thoracic spine. The appellant (carrier) appeals, contending that the claimant's compensable injury is limited to a left shoulder contusion and that the hearing officer's decision on the issue of the extent of the claimant's compensable injury is contrary to the evidence. The claimant asserts that the evidence supports the hearing officer's decision.

DECISION

Affirmed.

Conflicting evidence was presented on the disputed issue regarding the extent of the claimant's compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Although there is conflicting evidence in this case, we conclude that the hearing officer's decision is supported by sufficient evidence and is not so contrary to the overwhelming weight of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750
AUSTIN, TEXAS 78701.**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Elaine M. Chaney
Appeals Judge